

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH  
CAROLINA, GREENVILLE DIVISION

Phillip Reeves v. Michael Callison; Hobart Lewis

Reeves · No. 6:25-cv-13834-CMC · Decided March 12, 2026

SUMMARY

The court adopts a magistrate judge’s Report and Recommendation and dismisses Phillip Reeves’s complaint without prejudice and without issuance and service of process. Because Reeves filed no objections, the court reviewed the recommendation for clear error and found none.

CASE DETAILS

|                       |                                                                                                                                                                                                                                         |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of South Carolina, Greenville Division                                                                                                                                                    |
| WRITING FOR THE COURT | Cameron McGowan Currie                                                                                                                                                                                                                  |
| JURISDICTION          | United States District Court for the District of South Carolina, Greenville Division                                                                                                                                                    |
| DECIDED               | March 12, 2026                                                                                                                                                                                                                          |
| DOCKET                | 6:25-cv-13834-CMC                                                                                                                                                                                                                       |
| DISPOSITION           | dismissed                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of Plaintiff's complaint without prejudice and without issuance and service of process. Plaintiff filed no objections.                |
| STANDARD OF REVIEW    | In the absence of a timely specific objection to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error; a specific objection requires de novo review of the challenged portion. |
| PRECEDENTIAL VALUE    | unpublished district court order; nonprecedential                                                                                                                                                                                       |

TOPICS

- civil procedure
- pleadings

PRACTICE AREAS

## QUESTIONS PRESENTED

1. What standard of review applies when a party fails to object to a magistrate judge's Report and Recommendation?
2. Whether the magistrate judge's recommendation to dismiss the action without prejudice and without issuance and service of process should be adopted.

## HOLDINGS

1. When no timely specific objection is filed, the district court need only review the Report and Recommendation for clear error before accepting it; a specific objection would require de novo review of the challenged portion.
2. The court adopted the Report and Recommendation and dismissed the matter without prejudice and without issuance and service of process.

## KEY QUOTATIONS

*“in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”* (at 2)

## FACTUAL BACKGROUND

The opinion contains little substantive factual discussion because the action was dismissed at the screening and recommendation stage. Plaintiff filed a civil-rights complaint against Michael Callison and Hobart Lewis. The magistrate judge recommended dismissal without prejudice and without issuance and service of process, and Plaintiff did not object.

## PROCEDURAL HISTORY

Plaintiff filed his complaint on December 12, 2025. The matter was referred to Magistrate Judge Paige J. Gossett for pretrial proceedings, and the magistrate judge issued a Report and Recommendation on February 9, 2026, recommending dismissal without prejudice and without issuance and service of process. After Plaintiff failed to object, the district court reviewed the record for clear error, adopted the Report by reference, and dismissed the matter.

## DISPOSITION

dismissed

## CASES CITED

- Mathews v. Weber, 423 U.S. 261 (1976)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005)

## OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION Phillip Reeves, Civil Action No. 6:25-cv-13834-CMC Plaintiff, vs.  
ORDER Michael Callison; Hobart Lewis, Defendants. This matter is before the court on Plaintiff's  
Complaint filed December 12, 2025. Dkt. No. 1.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), D.S.C., the matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings. On February 9, 2026, the Magistrate Judge issued a Report and Recommendation ("Report") recommending this matter be dismissed without prejudice and without issuance and service of process.

Dkt. No. 10. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff failed to file objections, and the time to do so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. See *Mathews v. Weber*, 423 U.S. 261 (1976).

The court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b).

The court is required to review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.") (citation omitted).

After a review of the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error, and agrees this matter should be dismissed. Accordingly, the court adopts the Report by reference in this Order. This matter is dismissed without prejudice and without issuance and service of process. IT IS SO ORDERED. s/Cameron McGowan Currie CAMERON MCGOWAN CURRIE Senior United States District Judge  
Columbia, South Carolina March 12, 2026 2